

Message Text

LIMITED OFFICIAL USE

PAGE 01 MEXICO 06494 01 OF 02 202023Z
ACTION OES-07

INFO OCT-01 ARA-10 ISO-00 NSCE-00 SSO-00 INRE-00
ICAE-00 CG-00 DOTE-00 CIAE-00 COME-00 DODE-00
EB-08 INR-10 JUSE-00 L-03 NSAE-00 CA-01 SCS-06
PA-01 SS-15 /062 W
-----110217 202036Z /70
O 202000Z APR 78
FM AMEMBASSY MEXICO
TO SECSTATE WASHDC IMMEDIATE 9664

LIMITED OFFICIAL USE SECTION 01 OF 02 MEXICO 06494

DEPT FOR AMB NEGROPONTE
PASS OIF/NMFS/NOAA/DOC

E.O.11652:N/A
TAGS: EFIS, PLOS, MX
SUBJECT: SEIZURE TUNA SEINER CONCHO - CASE HISTORY

REF: (A) MEXICO 6218; (B) STATE 87976; (C) MEXICO 6316

1. INFORMATION ON VESSEL SEIZURE GIVEN TO RFA ON APR 14
ABOUT 1500 BY NMFS TERMINAL ISLAND OFFICE, AUGIE FELANDO
AND J. NEGROPONTE.

2. RFA IMMEDIATELY NOTIFIED GOM DEPT FISHERIES DIAZ-ROJO
REQUESTING VESSEL BE RELEASED BEFORE REACHING PORT AND
INDICATING REASONS WHY VESSEL DID NOT HAVE VALID CERTIFI-
CATE. REASONS BEING (A) DEPT FISHERIES HAD NOT ACTED ON
1977 APPLICATIONS FOR CERTIFICATES; (B) PENDING CONSULTA-
TIONS ON NEW TUNA CONSERVATION REGIME WHICH HAD BEEN
SCHEDULED FOR APRIL AND THEN CHANGED TO JUNE 78; (C)
NMFS TERMINAL ISLAND IN POSSESSION OF 600 APPLICATIONS AND
FEES AND WAS ISSUING LETTERS TO US VESSELS. LETTERS INDI-
CATED VESSEL HAD MADE PAYMENT FOR 1978 CERTIFICATE.
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 MEXICO 06494 01 OF 02 202023Z

3. DIAZ ROJO AGREED WITH RFA FOR NEED TO ACT WITH
LENIENCY AND EXPEDITIOUSLY ON CONCHO CASE AND SAID HE
WOULD RECOMMEND RELEASE OF CONCHO BEFORE REACHING ACAPULCO.
HE LATER NOTIFIED RFA THAT NAVY WOULD NOT RELEASE VESSEL
FOR REASONS STATED IN REF A.

4. DIAZ ALSO INDICATED FISHERY DEL ACAPULCO ZARUR INSTRUCTED TAKE IMMEDIATE ACTION ON CASE, RELAYING DISPOSITION DEPT FISHERIES. ZARUR UNAVAILABLE TIR APR 17 AT WHICH TIME HE TOOK ACTION, PHONING FACTS TO DEPT FISHERIES.

5. DURING APR 14-17 RFA ALSO KEPT IN CONTACT WITH CONSULAR AGENT URBANIK AND CONSULAR OFFICER T CHIZTICK IN ACAPULCO WHO WERE INSTRUCTED TO PROVIDE ASSISTANCE TO THE CONCHO. THEY TRIED TO LOCATE LOCAL OFFICIALS FOR INFORMATION ON THE CASE WITHOUT LUCK OWING TO WEEKEND UNAVAILABILITY.

6. DURING APR 14-17 PERIOD RFA KEPT IN CONTACT WITH MINISTER THOMPSON WHO IN TURN SPOKE WITH UNDERSECRETARY ROSENZWEIG-DIAZ AS INDICATED REF C.

7. RFA WAS INFORMED CONCHO ARRIVED ACAPULCO ABOUT 0600 APR 15 AND THAT CUSTOMS AGENT FOR VESSEL CARRIAGA COULD NOT BE LOCATED AND ANOTHER AGENT, DEL PACIFICO, HAD BEEN ASSIGNED TO CONCHO. HOWEVER, DEL PACIFICO REFUSED THE ASSIGNMENT AND, ACCORDING TO FELANDO, THE ISSUE WAS SOLVED LATE APR 17 BY REASSIGNING CARRIAGA. THIS AGENT ISSUE IS MENTIONED OWING TO ITS RELEVANCE TO ARRANGING FOR THE CREW TO COME ASHORE. WITHOUT A SHIP'S AGENT IT WAS DIFFICULT TO TAKE ACTION.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 MEXICO 06494 01 OF 02 202023Z

8. DURING WEEKEND RFA ALSO REMAINED IN CONTACT WITH DEPT FISHERIES AND, OF COURSE FELANDO.

9. ON APR 17 WHEN DEPT FISHERIES NOTIFIED RFA CONCHO FINED AND FISH CONFISCATED FOR TOTAL OF US\$16,800, HE NOTIFIED FELANDO AND NMFS REGIONAL DIRECTOR G HOWARD. FELANDO INDICATED FUNDS WOULD BE TRANSFERRED TO AGENT CARRIAGA FOR PAYMENT OF FINE AND PURCHASE OF FISH, THE LATTER TO BE KEPT BY CONCHO. BY NOON APR 18 FUNDS HAD NOT BEEN RECEIVED BY AGENT CARRIAGA. CONSULAR AGENT URBANIK NOTIFIED BY RFA TO ASSIST IN ANY WAY POSSIBLE.

10. AS BACKGROUND ON WHY 1978 CERTIFICATES HAD NOT BEEN APPLIED FOR, RFA HOLDS COPIES OF TWO DIPLOMATIC NOTES SENT AUG 2 AND 18 REQUESTING ACTION ON 216 AND 60 APPLICATIONS FOR 1977 CERTIFICATES. AFTER SEVERAL INQUIRIES BY RFA TO DEPT FISHERIES AS TO STATUS OF CERTIFICATES HE SENT LETTER REQUESTING SOME INFORMATION. ONLY ANSWER RECEIVED WAS VERBAL COMMENT DEPT FISHERIES LOOKING INTO CERTIFICATE ISSUE IN VIEW OF LARGE NUMBER OF APPLICANTS, UPCOMING DISCUSSION ON CONSERVATION REGIME AND ANNUAL BILATERAL FISHERY CONSULTATIONS.

11. ON APR 18 AT 1900 DEPT FISHERIES CHIEF RAFFUL REQUESTED RFA TO MEET WITH HIM AND OTHER OFFICIALS TO DISCUSS CONCHO CASE AND OTHER RELATED ISSUES. AS PER REQUEST MEETING TOOK PLACE APR 19 EVENING WITH RAFFUL, HIS DEPUTIES YANEZ-RAMOS AND DIAZ-ROJO.

12. RAFFUL INITIATED TALKS BY INDICATING HE REGRETTED INCIDENT OF CONCHO, ESPECIALLY IN VIEW OF QUESTIONABLE CIRCUMSTANCES. LAST THING HE WANTED WAS TO HAVE CONFRONTATIONS WITH U.S. ON FISHERY MATTERS, RECOGNIZING THE PREFERENTIAL TREATMENT U.S. HAD GIVEN MEXICO ON GIFA AND SATISFACTORY SOLUTION OF IATTC 1978 QUOTA APPORTIONMENT. HE REITERATED SEVERAL TIMES HIS DEPT WOULD COOPERATE IN LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 04 MEXICO 06494 01 OF 02 202023Z

ANY WAY POSSIBLE WITH U.S. ON FISHERY MATTERS AND BE

LIMITED OFFICIAL USE

NNN

LIMITED OFFICIAL USE

PAGE 01 MEXICO 06494 02 OF 02 202028Z

ACTION OES-07

INFO OCT-01 ARA-10 ISO-00 NSCE-00 SSO-00 INRE-00
ICAE-00 CG-00 DOTE-00 CIAE-00 COME-00 DODE-00
EB-08 INR-10 JUSE-00 L-03 NSAE-00 CA-01 SCS-06
PA-01 SS-15 /062 W

-----110325 202038Z /70

O 202000Z APR 78

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC IMMEDIATE 9665

LIMITED OFFICIAL USE SECTION 02 OF 02 MEXICO 06494

ACCOMMODATING ON ANY RELEVANT ISSUE.

13. WHEN NOTIFIED APR 14 ABOUT CONCHO SEIZURE HE MENTIONED HAVING REQUESTED RELEASE OF VESSEL AT SEA, BUT SECRETARY OF NAVY CHAZARO-LARA HAD REFUSED. CHAZARO-LARA HAD INDICATED NAVY WAS SEVERELY CRITICIZED ON SEVERAL INCIDENTS WITH CUBA AND GUATEMALA AND IN CONCHO CASE WAS

NOT BACKING OFF AGAIN.

14. RFA QUESTIONED RAFFUL ON WHAT CHANCES AN APPEAL WOULD HAVE ON CONCHO CASE. HE FELT OPTIMISTIC ABOUT FAVORABLE RESULTS OF APPEAL TO EXTENT FINE WOULD BE REDUCED BUT NOT REFUND OF CONFISCATED CATCH. HOWEVER, HE MENTIONED NAVY CREW SEIZING VESSEL PARTICIPATE IN PROCEEDS OF ANY FINE LEVIED; THEREFORE, NAVY ALWAYS RELUCTANT TO BE COOPERATIVE. YET RAFFUL SAID HE WOULD STRONGLY RECOMMEND FINE REDUCTION. THIS INFO RELAYED TO OWNER'S REPRESENTATIVE FELANDO FOR ACTION.

15. RFA LATER MET SEPARATELY WITH DIAZ-ROJO AND YANEZ TO WORK OUT DETAILS OF PENDING 1978 APPLICATIONS FOR CERTIFICATES. PRIOR TO MEETING RFA HAD RECEIVED LIST OF APPLICANTS AND FEES WHICH HAD BEEN DELIVERED BY DIPLO-LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 MEXICO 06494 02 OF 02 202028Z

MATIC NOTE TO FONOFF. TWO COPIES OF LIST GIVEN TO YANEZ FOR ACTION. ONE COPY WAS TO BE GIVEN TO CHAZARO-LARA TODAY, APR 20, WITH REQUEST TO LAY OFF VESSELS ON LIST PENDING ISSUANCE OF CERTIFICATES BY DEPT FISHERIES.

16. DIAZ-ROJO SUGGESTED BRINGING UP SUBJECT OF REVIEWING FEE SYSTEM FOR U.S. VESSELS FISHING HIGHLY MIGRATORY SPECIES. RFA INDICATED MATTER COULD CERTAINLY BE DISCUSSED BUT THEN DOOR SHOULD ALSO BE OPENED ON GULF MEXICO SHRIMP ISSUE. AN EXAMPLE WOULD BE POSSIBILITY OF NOT REDUCING LIST OF 1977-78 SHRIMPERS FOR 1978-79 SEASON. YANEZ AND DIAZ-ROJO TENTATIVELY AGREED WITH SUGGESTION. HOWEVER, RFA BELIEVES FONOFF WILL NOT CONSIDER AMENDMENTS TO PRESENT US-MEX BILATERAL AGREEMENT.

17. ON PENDING 1977 CERTIFICATES IT WAS AGREED TO WORK OUT DETAILS LATER. RFA REQUESTED FROM NMFS TERMINAL ISLAND 1977 AND 1978 LISTS OF APPLICANTS BE REVIEWED AND RESULTS SENT TO EMBASSY FOR ACTION.

18. CONCHO WAS RELEASED 1600 APR 19 AS PER INFO FROM CONSULAR AGENT AFTER PAYING CHARGES. LUCEY

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TUNA, SHIP DETENTION, FISHING BOATS, CONCHO F/V
Control Number: n/a
Copy: SINGLE
Draft Date: 20 apr 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978MEXICO06494
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780169-0921
Format: TEL
From: MEXICO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780435/aaaabdmz.tel
Line Count: 214
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 6e6479aa-c288-dd11-92da-001cc4696bcc
Office: ACTION OES
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 MEXICO 6218, 78 STATE 87976, 78 MEXICO 6316
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2903936
Secure: OPEN
Status: NATIVE
Subject: SEIZURE TUNA SEINER CONCHO - CASE HISTORY
TAGS: EFIS, PLOS, MX
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/6e6479aa-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014